

RECEIVED
JUL 26 2007
DEPARTMENT OF
WATER RESOURCES

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

A. Subcase 22-00660
(Insert water right number)

Case No. 39576)

STANDARD FORM 1
OBJECTION

_____)
Please fill in the following information:

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: United States of America acting through the Department of Interior, Bureau
of Land Management, Idaho State Office

Address: 1387 South Vinnell Way
Boise, Idaho 83709-1657

Daytime Phone: see below

Name & Address of Attorney, if any:

Larry A. Brown (202) 305-0435 phone, (202) 305-0274 fax
United States Department of Justice
Environment and Natural Resource Division
General Litigation Section
550 West Fort Street, MSC 033
Boise, Idaho 83724

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Saurey-Sommer Canal Company; c/o Don Harris

Address: 4431 N 2000 W; Rexburg, Idaho 83440

Name:

Address: ;

Name:

Address: ;

Name:

Address: ;

D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es)).

1. ☐ **Name and Address**
Should be:
2. ☐ **Source**
Should be:
3. ☐ **Quantity**
Should be:
4. ☐ **Priority Date**
Should be:
5. ☐ **Point(s) of Diversion**
Should be:
6. ☐ **Instream Flow Description**
Should be:
7. ☐ **Purpose(s) of Use**
Should be:
8. ☐ **Period of Year**
Should be:
9. ☒ **Place of Use**
Should be: See attached.

11. **I object because:**

- ☐ This water right should not exist.
- ☐ This water right was not recommended, but should be recommended with the elements described above.

E. REASONS SUPPORTING OBJECTION(S):

The United States of America, through the Bureau of Land Management, is the owner of the land upon which a portion of the use is claimed. The claimant's use of Federal land is unauthorized. Claimant's water right should not include federal public land within the digital boundary.

F.

VERIFICATION (Must be Completed)

State of Idaho

)

) ss.

County of ADA

)

Fredric W. Price, Water Rights Specialist, duly sworn, upon oath, deposes and says:
(Name of person filing objection)

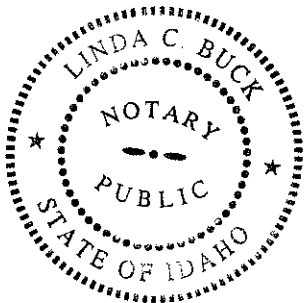
That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

Fredric W. Price
(Signature of person filing objection)

Larry A. Brown
(Attorney signing in representative capacity)

Subscribed and sworn to before me on:

July 24, 2007
Linda C. Buck
Linda C. Buck



Notary Public for State of Idaho

Residing at: Mountain Home, ID.

My Commission Expires: 12-21-2011

INSTRUCTIONS FOR MAILING

You must mail the objection, to the Clerk of the Court. **FAX filings will not be accepted.**
You must also send a copy to all the parties listed below in the Certificate of Mailing.

G.

CERTIFICATE OF MAILING

I certify that on July 24th, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: Saurey-Sommer Canal Company; c/o Don Harris

Address: 4431 N 2000 W; Rexburg, Idaho 83440

Name:

Address: ;

Name:

Address: ;

Name:

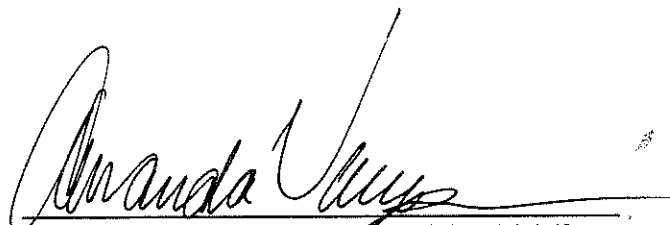
Address: ;

3. Copies to:

IDWR Document Depository
P.O. Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P.O. Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724


Signature of Objector or attorney mailing on Objector's behalf

12/20/2006

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 22-660

NAME AND ADDRESS: SAUREY-SOMMER CANAL COMPANY
C/O DON HARRIS
4431 N 2000 W
REXBURG ID 83440

POU on BLM:

-Digital Boundary includes BLM land.

SOURCE: TETON RIVER

TRIBUTARY: HENRYS FORK

QUANTITY: 9.000 CFS

PRIORITY DATE: 04/01/1939

POINT OF

DIVERSION: T07N R39E S35 NESESE Within MADISON County

PURPOSE AND

PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/15 10/31

9.000 CFS

PLACE OF USE:

361 ACRES TOTAL

Place of use is within the area served by Saurey Sommer Canal Company.

The boundary encompassing the place of use for this water right is described with a digital boundary as defined by I.C. Section 42-202B(2) and authorized pursuant to I.C. Section 42-1411(2)(h). The data comprising the digital boundary are incorporated herein by reference and are stored on a CD-ROM disk issued in duplicate originals on file with the SREA District Court and the Idaho Department of Water Resources. A map depicting the place of use is attached hereto to illustrate the place of use described by the digital boundary.

The rights listed below are limited to the irrigation of a combined total of 361 acres in a single irrigation season. Combined Right Nos.: 22-660 and 22-11329.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Decreed

Water is delivered through Saurey-Sommer Ditch.

22-00660 & 22-11329; Saurey-Sommer Canal Co.

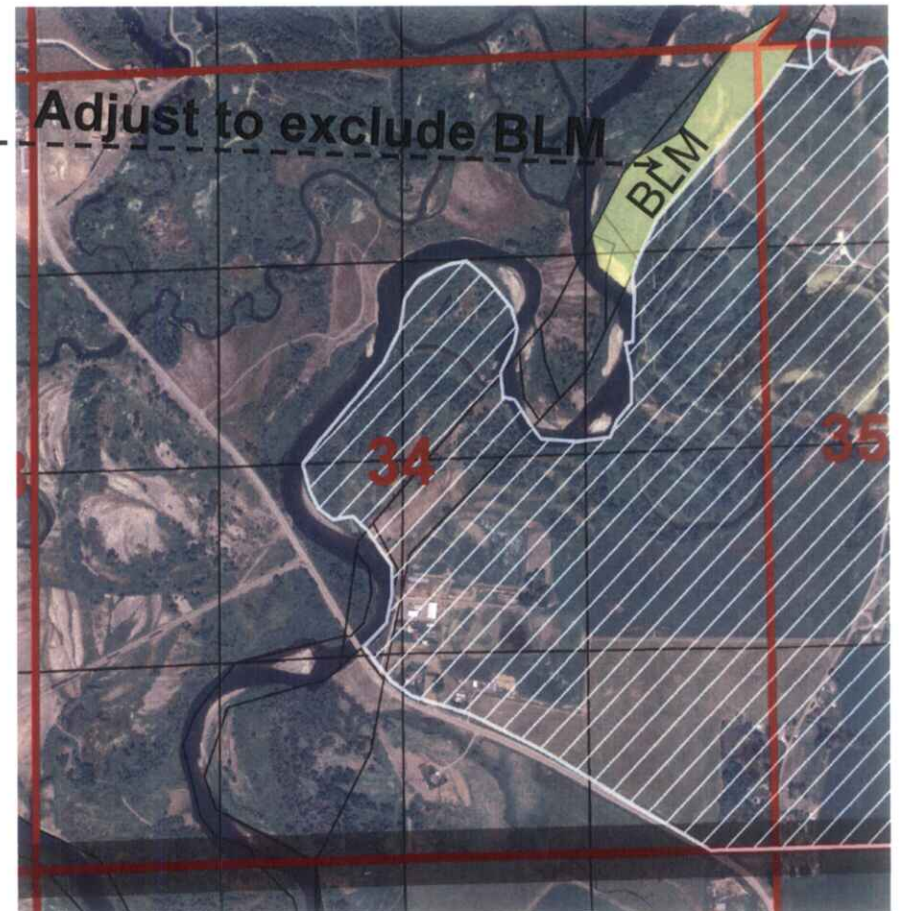
Digital Boundary Includes BLM:

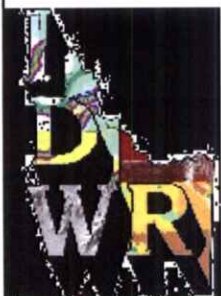
-The federal public land inside the Digital Boundary is not authorized for farming. Please adjust Digital Boundary to exclude federal public land.

T07N R39E



T07N R39E





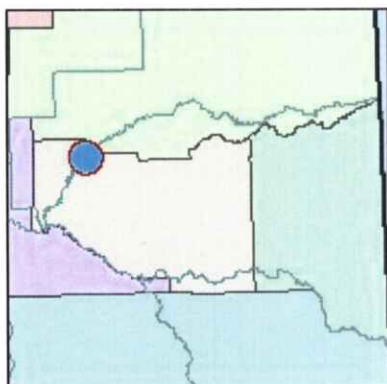
Saurey-sommer Canal Company

SRBA Recommendations: 22-660, 22-11329

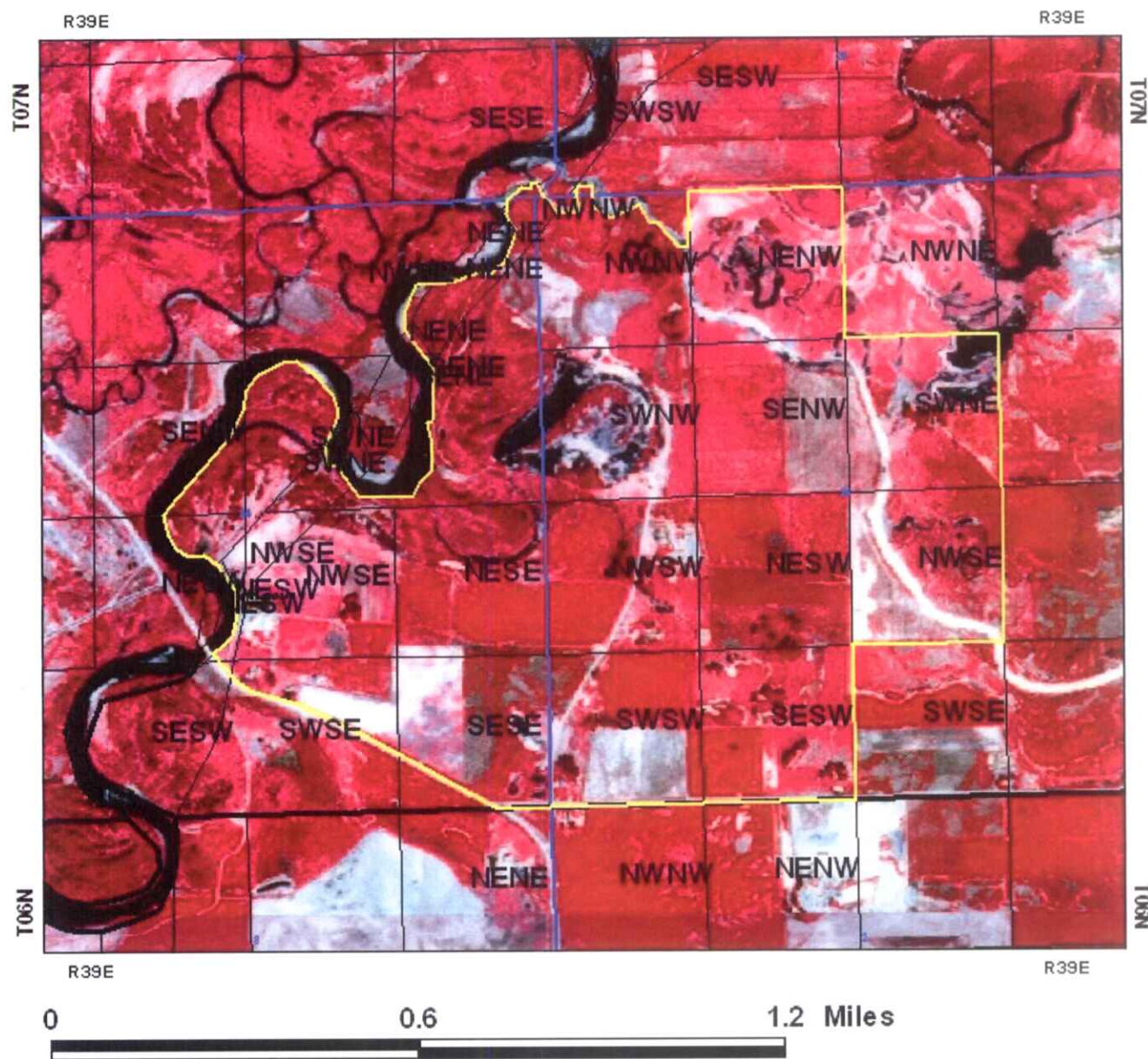
Service Area Boundary
GIS Place of Use Illustration

Legend

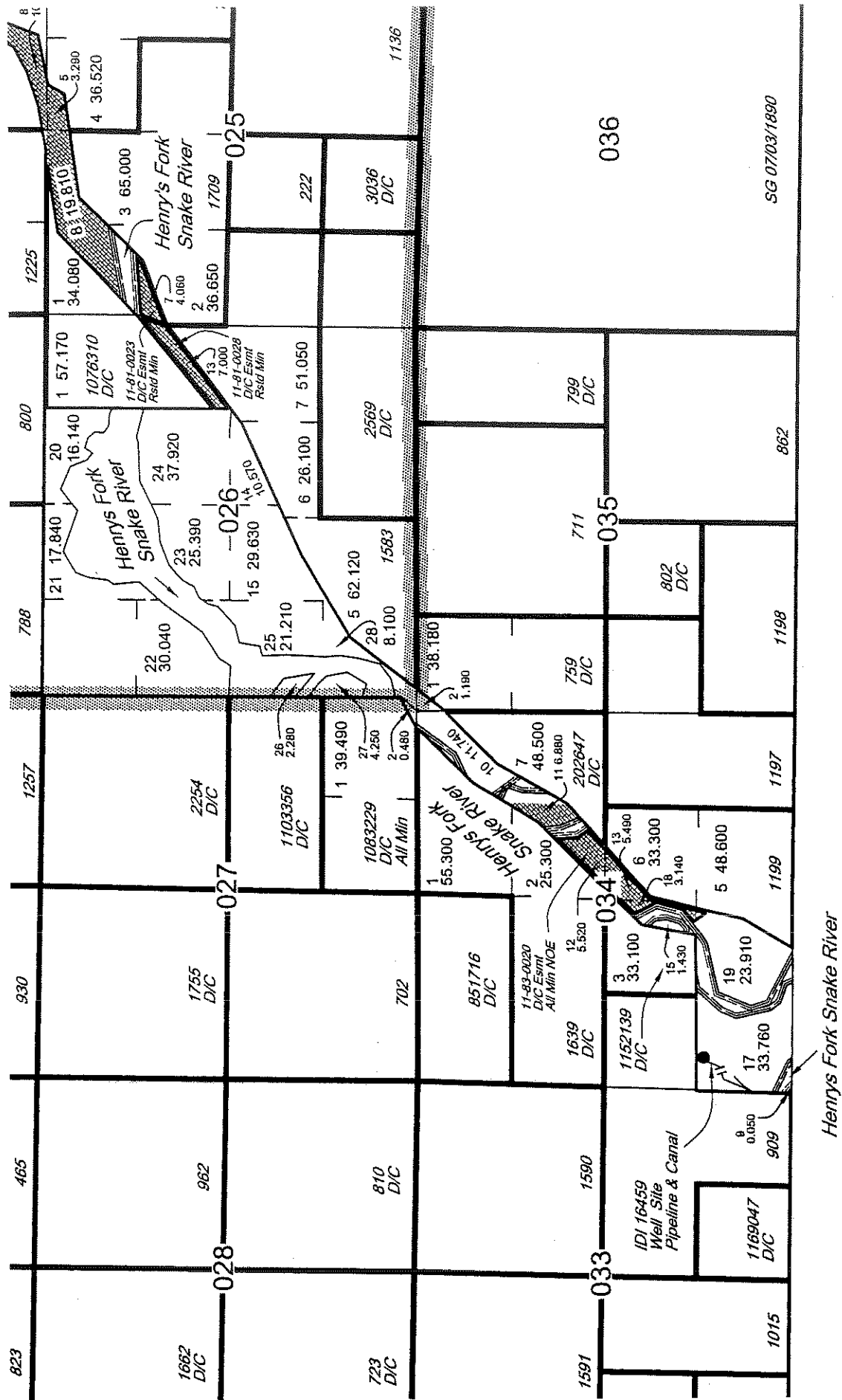
-  Service Area
-  Townships
-  PLS Sections
-  Quarter Quarters



Madison County
IDWR Basin 22



Prepared by T. Galbraith
On Saturday, December 16, 2006
1987/88 Aerial Photography



TOWNSHIP 7 NORTH RANGE 39 EAST OF THE BOISE MERIDIAN, IDAHO

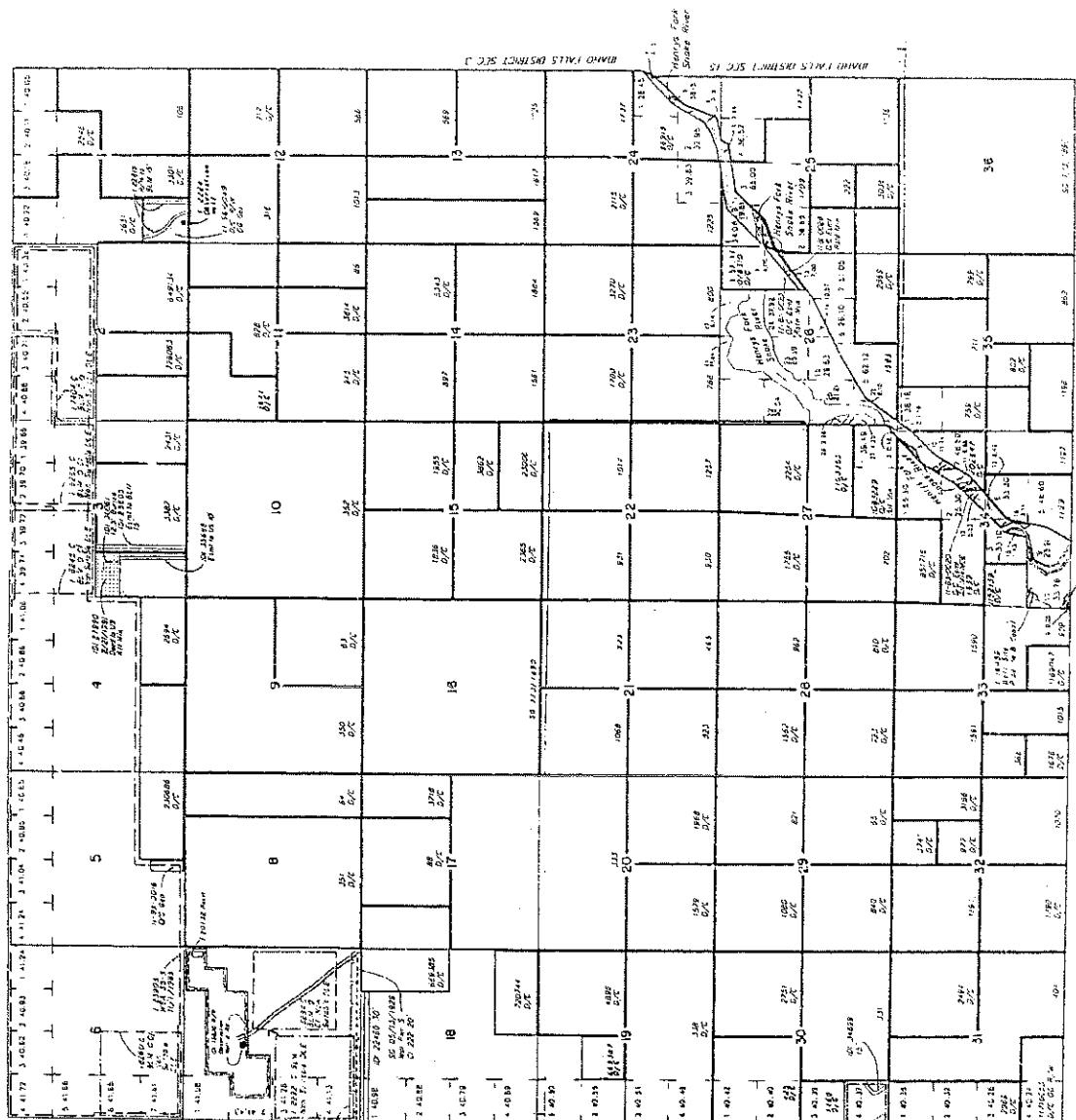
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES
AND ACQUIRED LANDS

MT PLAT

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1	1	SEC. 1	1897-1898
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34	34	SEC. 34	1897-1898
35	35	SEC. 35	1897-1898
36	36	SEC. 36	1897-1898

Office of Limited Lands in Reference
to the Boise Meridian, Idaho, 1897-1898
SEC. 1, 1897-1898
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SEC. 32, 1897-1898
SEC. 33, 1897-1898
SEC. 34, 1897-1898
SEC. 35, 1897-1898
SEC. 36, 1897-1898

FOR THESE TRAILING DEPEND OF USE OF
UNLIMITED LANDS REFER TO BOOK OF
RECORDS DOCUMENTS
CANNON, IDAHO
SEC. 1, 1897-1898
SEC. 2, 1897-1898
SEC. 3, 1897-1898
SEC. 4, 1897-1898
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FEWONT COUNTY 043 MADISON COUNTY 065

BOISE FALLS DISTRICT SEC. 3
BOISE FALLS DISTRICT SEC. 15
BOISE FALLS DISTRICT SEC. 16
BOISE RIVER
BOISE DAM
TOWNSHIP 7 NORTH
RANGE 39 EAST
1897-1898